

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

MICHAEL KULAKOWSKI,)	
)	
Plaintiff,)	
)	
vs.)	CASE NO.
)	3:16-CV-02510
)	
WESTROCK SERVICES, INC.,)	
)	
Defendant.)	

DEPOSITION OF
MICHAEL P. WHITE
Taken on Behalf of the Plaintiff
November 15, 2017
Commencing at 3:15 p.m.

Reported by: Jerri L. Porter, RPR, CRR
Tennessee LCR No. 335
Expires: 6/30/2018

Brentwood Court Reporting Services
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1 MICHAEL P. WHITE

2 was called as a witness, and after having been first
3 duly sworn, testified as follows:

4 E X A M I N A T I O N

5 BY MS. COLLINS:

6 Q Good afternoon. Could you state your
7 complete name for the record, please.

8 A Michael Perry White.

9 Q Mr. White, what is your address?

10 A 3258 Union Camp Road, Lafayette, Tennessee,
11 37083.

12 Q What is your phone number?

13 A House or cell?

14 Q Cell.

15 A (615) 633-5006.

16 Q Where do you currently work?

17 A WestRock fulfillment.

18 Q How long have you been out there?

19 A Twenty-five years.

20 Q What is your current job title?

21 A I just printed my paycheck off. It says
22 facility manager.

23 Q What are you generally referred as?

24 A I thought I was supposed to be called
25 superintendent/safety manager.

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1 Q Were you asked any questions at all about
2 the investigation before Tommy Whited's termination?

3 A No, ma'am. I thought that was very odd,
4 too.

5 Q Did you ever witness Mr. Whited kick or hit
6 a woman in the groin?

7 A No, ma'am.

8 Q But y'all have women working out there --

9 A Yes.

10 Q -- at the fulfillment center, right?

11 A Yes, ma'am.

12 Q Did you ever witness Mr. Whited show his
13 penis --

14 A No, ma'am.

15 Q -- to anyone?

16 A No.

17 Q Okay. Have you ever kicked or hit another
18 employee in the groin?

19 A No, ma'am.

20 Q Was it primarily Mr. Whited doing that to
21 other employees, kicking and hitting --

22 MS. DOHNER SMITH: Objection.

23 BY MS. COLLINS:

24 Q -- male employees in the groin?

25 MS. DOHNER SMITH: Go ahead and answer.

1 I'm sure it's possible that she's there
2 and I'm unaware.

3 BY MS. DOHNER SMITH:

4 Q Okay. You said Mr. Kulakowski said he was
5 sick of the way Tommy Whited was treating him. Was
6 that in relation to kicking and hitting or was that
7 Tommy kind of getting on him about things that are
8 going on in the warehouse?

9 MS. COLLINS: Objection to form.

10 THE WITNESS: All of the above.

11 BY MS. DOHNER SMITH:

12 Q He's told you, I'm sick of him kicking me?

13 A Ma'am, I can't hardly remember exact words
14 like that said.

15 Q Okay. So you just don't know what he was
16 saying when he said I'm sick of the way Tommy is
17 treating me?

18 A Yeah.

19 Q Okay. The term motherfucker, that's one
20 that Mr. Kulakowski himself uses; is that correct?

21 A Yes.

22 Q Okay. He uses that in the workplace?

23 A I've heard him say it, yes, ma'am. Just
24 about everybody else there, too.

25 Q Now, Tommy, when he'd get upset and cuss,

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1 he'd cuss in full meetings, correct?

2 A Yes, ma'am.

3 Q And there would be men and women in those
4 meetings?

5 A Yes, ma'am.

6 Q You said you heard Mr. Whited call
7 Mr. Kulakowski a stupid Polak. Mr. Kulakowski would
8 also refer to himself as a Polak, correct?

9 A Yes.

10 Q And he'd joke about being a Polak?

11 A Yes, ma'am.

12 Q Okay. The handful of times you said you saw
13 Mr. Whited either hit or kick Mr. Kulakowski, that
14 handful, does that encompass the hitting and kicking
15 in the groin and then hitting and kicking other
16 places?

17 A Yeah. I would say both would be a handful
18 of times, yes.

19 Q Okay. Now, that handful of times,
20 Mr. Kulakowski, was he typically laughing, seemed to
21 be laughing and cutting up when all of this was
22 going on?

23 MS. COLLINS: Objection to form.

24 THE WITNESS: Sometimes.

25

1 BY MS. DOHNER SMITH:

2 Q Okay. Was there anything that you observed
3 that you thought that Mr. Kulakowski was actually in
4 danger or hurt in any way?

5 A I can't say danger. I know he would
6 grimace, act like it hurt him sometimes.

7 Q But he would usually appear to be cutting up
8 with Mr. Whited?

9 MS. COLLINS: Objection to form.

10 THE WITNESS: Yes, ma'am.

11 BY MS. DOHNER SMITH:

12 Q If you had seen anything where you thought
13 that Tommy was being malicious or attempting to, you
14 know, hurt Mr. Kulakowski, would you have offered to
15 help Mr. Kulakowski?

16 MS. COLLINS: Objection to form.

17 THE WITNESS: If they would have got
18 into a fight, I would have broke them up.

19 BY MS. DOHNER SMITH:

20 Q What about if Mr. Kulakowski had come and
21 said, I believe I'm being sexually harassed. Would
22 you have offered to assist him?

23 A I would have told him to call the hotline
24 number.

25 Q Okay. He never came to you and said he was

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1 being sexually harassed, did he?

2 A No, ma'am.

3 Q Did Mr. Kulakowski ever ask you to make a
4 report or call the hotline or call HR on his behalf?

5 A No, ma'am.

6 MS. DOHNER SMITH: That's all I've got.

7 E X A M I N A T I O N

8 BY MS. COLLINS:

9 Q A moment ago when you were being asked about
10 people using the term -- or Mr. Kulakowski using the
11 term motherfucker in the workplace, I think you said
12 just about everybody else does, too?

13 A Several individuals use words. I'm guilty.
14 Sorry.

15 Q Okay. When you were asked about whether or
16 not Mr. Kulakowski was cutting up with Mr. Tommy
17 Whited, you don't, in fact, know if he welcomed
18 being hit or kicked in the groin, do you?

19 MS. DOHNER SMITH: Objection.

20 THE WITNESS: I don't know how to
21 answer that. No, I'm not Michael Kulakowski, so I
22 don't know if he would have welcomed it or not.

23 BY MS. COLLINS:

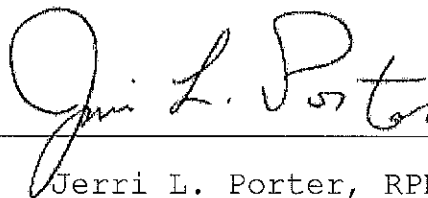
24 Q Okay. And I believe you said Mr. Kulakowski
25 was afraid of Mr. Whited, right?

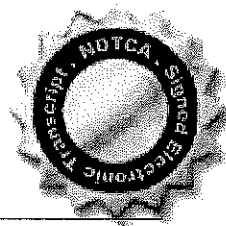
REPORTER'S CERTIFICATE

I, Jerri L. Porter, RPR, CRR, Notary Public and Court Reporter, do hereby certify that I recorded to the best of my skill and ability by machine shorthand all the proceedings in the foregoing transcript, and that said transcript is a true, accurate, and complete transcript to the best of my ability.

I further certify that I am not an attorney or counsel of any of the parties, nor a relative or employee of any attorney or counsel connected with the action, nor financially interested in the action.

SIGNED this 28th day of November, 2017.





Jerri L. Porter, RPR, CRR

My Notary commission expires: 2/19/2018

Tennessee LCR No. 335

Expires: 6/30/2018